



City of NORFOLK

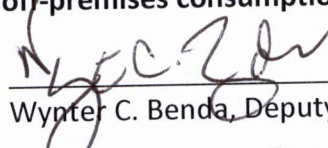
C: Dir., Department of City Planning

To the Honorable Council
City of Norfolk, Virginia

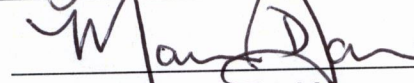
November 22, 2016

From: George M. Homewood, FAICP, CFM, Planning Director

Subject: **Amend *plaNorfolk2030*, Change of Zoning, and Special Exceptions to operate a 24-hour convenience store with fuel sales, car wash, and sale of alcoholic beverages for off-premises consumption at 5516 Raby Road – Royal Farms**

Reviewed: 
Wynter C. Benda, Deputy City Manager

Ward/Superward: 4/7

Approved: 
Marcus D. Jones, City Manager

Item Number:

PH-7

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** for the following applications at 5516 Raby Road:
 - a. Amendment to the Future Land Use Designation in the general plan, *plaNorfolk2030*, from Institutional to Commercial.
 - b. Change of zoning from IN-1 (Institutional) district to C-2 (Corridor Commercial) district.
 - c. Special exception to operate a convenience store, 24-hours (with fuel sales).
 - d. Special exception to operate a car wash.
 - e. Special exception for the sale of alcoholic beverages for off-premises consumption.

	Proposed
Hours of Operation for the Convenience Store, Gas Station and Car Wash	24-hours Seven days a week
Hours for the Sale of Alcoholic Beverages for Off-Premises Consumption	6:00 a.m. until 12:00 midnight, Seven days a week

IV. **Applicant:** Royal Farms

- V. **Description:**
- The site is located on the northwest corner of E. Virginia Beach Boulevard and Raby Road, at the eastern edge of the Crown Point townhome community.
 - The proposal is to redevelop the site with a 24-hour convenience store, gas station and automated car wash, and to permit the sale of alcoholic beverages for off-premises consumption.

VI. Historic Resources Impacts:

The site is not located within a federal, state, or local historic district.

VII. Public Schools Impacts

According to the Existing ABC Establishments and Norfolk Public Schools Proximity Map (see attached), the proposed property is not within 1,000 feet of a Norfolk Public School.

Staff point of contact: Matthew Simons at 664-4750, matthew.simons@norfolk.gov

Attachments:

- Proponents and Opponents
- Staff Report to CPC dated October 27, 2016 with attachments
- Ordinances

Planning Commission Public Hearing: October 27, 2016

Executive Secretary: George M. Homewood, FAICP, CFM *gmh*
 Planner: Matthew Simons, AICP, CZA, CFM *ms*

Staff Report	Item Number: C - 2	
Address	5516 Raby Road	
Applicant	Royal Farms	
Requests	Future Land Use Map Amendment	From Institutional to Commercial
	Rezoning	From IN-1 (Institutional) to C-2 (Corridor Commercial)
	Special Exceptions	<ul style="list-style-type: none"> • Convenience store, 24-hours (with fuel sales) • Car wash • Sale of alcoholic beverages for off-premises consumption
Property Owner	Salvation Army	
Site Characteristics	Site/Building Area	3.28 acres/5,371 sq. ft. convenience store and 1,388 sq. ft. automated car wash
	Future Land Use Map	Institutional
	Zoning	IN-1
	Neighborhood	Crown Point
	Character District	Suburban
Surrounding Area	North	C-2: 7-Eleven gas station and convenience store
	East	Conditional IN-1: Salvation Army shelter
	South	C-2: Pete's Liquidations, vacant building, R-12 (Medium-Density Multi-Family): Round Bay Apartments
	West	R-11 (Moderate Density Multi-Family): Crown Point Townhomes, C-2: Gene's Transmissions



A. Summary of Request

- The site is located on the northwest corner of E. Virginia Beach Boulevard and Raby Road, at the eastern edge of the Crown Point townhome community.
- The proposal is to redevelop the site with a 24-hour convenience store, gas station and automated car wash, and to permit the sale of alcoholic beverages for off-premises consumption.
- This application was continued from the September Planning Commission public hearing to the October hearing to allow the applicant to make additional site revisions, in order to further mitigate potential impacts with the adjacent Crown Point Townhomes community.
- The applicant has since met with the management team for the Crown Point Townhomes and additional traffic and site improvements have been made to the attached site plan.

B. Plan Consistency

Plan Amendment

- *plaNorfolk2030* designates this site as Institutional, making the proposed use inconsistent with *plaNorfolk2030*.
 - The reason for the Institutional designation is because the site was previously used for years as a Salvation Army office and outreach center.
 - An amendment to Commercial is necessary for the proposed use to be consistent with *plaNorfolk2030*.
- The Identifying Land Use Strategies chapter of *plaNorfolk2030* identifies the Commercial category as a location for a broad range of retail sales and services, typically located along arterial roadways.
 - It recommends encouraging the creation of new commercial locations in nodes at the intersections of roads rather than at isolated mid-block locations.
- Since the proposed use will be retail sales and it is located along an arterial roadway at an intersection of two major roadways, the proposed plan amendment is appropriate.

Change of Zoning

- If the plan amendment is approved, the request would be consistent with *plaNorfolk2030*.

Special Exceptions

- If the plan amendment and rezoning are approved, the requests would be consistent with *plaNorfolk2030*.

C. Zoning Analysis

i. General

- The site is surrounded by a mix of commercial, residential, institutional, and light industrial uses.
- The applicant proposes to demolish the existing structure on the site and redevelop the entire site to accommodate the 24-hour gas station, car wash and convenience store with alcohol sales for off-premises consumption.

- A rezoning to C-2 is required in order to permit the special exceptions.
- The conceptual site plan submitted by the applicant and the attached conditions ensure compliance with the adopted general plan, as well as all *Zoning Ordinance* requirements for a gas station and car wash.

	Proposed
Hours of Operation for the Convenience Store, Gas Station and Car Wash	24-hours Seven days a week
Hours for the Sale of Alcoholic Beverages for Off-Premises Consumption	6:00 a.m. until 12:00 midnight, Seven days a week

ii. Parking

- For a 5,371 square foot, 24-hour convenience store with fuel sales and car wash, located within the Suburban Character District, the *Zoning Ordinance* requires a minimum of 55 parking spaces to be provided and sufficient room to accommodate five bicycles.
 - The applicant proposes to provide 71 parking spaces and one bike rack which will accommodate at least three bicycles.

iii. Flood Zone

The property is located in the X (Low to Moderate) Flood Zone, which is a low-risk flood zone.

D. **Transportation Impacts**

- Institute of Transportation Engineers (ITE) figures estimate that this new 24-hour convenience store with fuel sales and automated car wash will generate 3,824 new vehicle trips per day.
- Based upon ITE data, the existing church/community center on this site would be expected to generate 717 weekday trips while the proposed new use would be expected to generate a 4,541 trips on weekdays.
- The intersection of E. Virginia Beach Boulevard and Raby Road is a signalized intersection, providing a safe traffic handling measure to accommodate the proposed high volume use of the site.
- The proposed site layout is able to manage high traffic volumes on the site by providing ample parking and drive aisle dimensions throughout the site without any dead-end drive aisles or choke points.
 - This should allow internal traffic flow to manage an incident like a stalled vehicle; providing motorist with various alternatives to move vehicles throughout the site without the risk of shutting down all internal traffic flow options whenever a potential incident occurs.

- E. Virginia Beach Boulevard adjacent to the site is not identified as a severely congested corridor in the current update to regional Hampton Roads Congestion Management analysis.
- Neither E. Virginia Beach Boulevard nor Raby Road adjacent to the site are identified priority corridors in the City of Norfolk *Bicycle and Pedestrian Strategic Plan*.

E. Historic Resources Impacts

The site is not located within a federal, state, or local historic district.

F. Public Schools Impacts

According to the Existing ABC Establishments and Norfolk Public Schools Proximity Map (see attached), the proposed property is not within 1,000 feet of a Norfolk Public School.

G. Environmental Impacts

The site will be required to be approved through the Site Plan Review process including stormwater management and landscaping.

H. AICUZ Impacts

N/A

I. Surrounding Area/Site Impacts

- An eight-foot tall masonry wall will be required to be installed and maintained along the northwest property line adjacent to the Crown Point townhomes, located within the required 10-foot buffer yard, with a 4-foot wide landscape area to be maintained between the masonry wall and the rear alleyway servicing the adjacent townhomes.
 - In total, a 10-foot wide minimum landscape buffer will be provided along the entire perimeter of the site, except where driveways provide access to the public right-of-way.
- A lighting plan will be required in order to ensure that no light glare will spill over onto the adjacent residential.
- Through the Site Plan Review process, the site will be evaluated by the Norfolk Police Department against modern CPTED (Crime Prevention through Environmental Design) principles in order to ensure that the site is designed so as to deter nefarious activity.
- The site has been designed to meet all *Zoning Ordinance* requirements in order to fully accommodate the proposed uses on the site.
- By requiring the proposed development to conform to the conditions listed below, granting the special exceptions should not have a negative effect on the surrounding area.

J. Payment of Taxes

The owner of the property is current on all real estate taxes.

K. Civic League

- Notice was sent to the Poplar Hall Civic League on August 10.

- A meeting has held between Planning Staff and the property management of the adjacent Crown Point Townhomes community on September 16.
 - This focus of the meeting was to address any potential site impacts, buffering and traffic concerns as they relate to the proposed development and the neighboring townhomes to the northwest.
 - The applicant has since worked directly with the Crown Point management to address their concerns through additional screening and buffering as well as adding a dedicated right-turn lane from Pleasant Valley Drive onto Raby Road.

L. Communication Outreach/Notification

- Legal notice was posted on the property on August 16.
- Letters were mailed to all property owners within 300 feet of the property on September 9.
- Legal notification was placed in *The Virginian-Pilot* on September 8 and September 15.

M. Recommendation

Staff recommends **approval** of the amendment to the City's Future Land Use map, the rezoning and the special exception requests subject to all of the following conditions:

24-Hour Convenience Store (with fuel sales) and Car Wash – Conditions

- (a) The site shall be developed to reflect the general massing, materials, fenestration and design elements for the north, south, east and west sides of the principal building as shown in the elevations entitled "RECON 'B'," dated August 13, 2015, and "RECON Prototype Rendered Perspective," dated September 23, 2015, attached hereto and marked as "Exhibit A," subject to any revisions required by the City to be made during the Site Plan Review and building permit plan review processes.
- (b) The site shall be generally designed in accordance with the conceptual site plan prepared by Timmons Group, dated October 25, 2016, attached hereto and marked as "Exhibit B," subject to any revisions required by the City to be made during the Site Plan Review and building permit plan review processes. No vehicular driveway shall be created on the site except where indicated on the conceptual site plan, as approved by the City.
- (c) A dedicated right-turn lane shall be installed along the southern line of Pleasant Valley Drive abutting the property, at the point where Pleasant Valley Drive intersects the western line of Raby Road.
- (d) Subject to any limitation or preemption that may exist by operation of state law, an oil/water separator or other device approved by the city's Department of Public Works sufficient to capture leaks or spills related to the operation of the facility shall be installed and a hazardous materials management plan shall be prepared and submitted to the Department of Planning detailing the

methods to be employed on the property in order to minimize the infiltration into groundwater or surface waters of petroleum-based materials or other waste associated with the dispensing and handling of fuel or other potentially hazardous liquids. The use allowed by this special exception shall not commence until after this management plan is approved. Once approved, the plan shall be fully and continuously implemented.

- (e) A solid masonry wall not less than eight (8) feet in height shall be installed and maintained in the required landscape buffer area located along the northwest property line in order to screen the site from the adjacent residential dwellings. The wall shall be constructed of an earth-tone color complementary to the surrounding area as determined by staff during plan review. The side of the wall facing the adjacent property to the northwest shall be split-face masonry with a rough-side finish.
- (f) A continuous landscape hedge shall be installed and maintained along the northwest side of the masonry wall described in condition (e), above, located between the masonry wall and the service alley of the adjacent townhomes.
- (g) A minimum of five (5) bicycle parking spaces shall be provided on the site.
- (h) All loading, unloading, opening, closing or other handling of building materials during the construction of the principal building, the car wash, or any portion of the fueling structures that occurs between 7:00 p.m. and 7:00 a.m. the following morning in such a manner as to cause noise across a residential real property boundary or within a noise sensitive zone at a level exceeding the sound level limits as set forth in section 26-1 of the Code of the City of Norfolk is prohibited.
- (i) On-site lighting shall be directed and shielded so as to not cast glare onto any adjacent residential properties or public right-of-way.
- (j) Dumpsters shall be gated and not visible from any public right-of-way, and will be screened with masonry walls that complement the proposed building.
- (k) Not less than 50% of the building façade facing East Virginia Beach Boulevard and not less than 25% of the building façade facing Raby Road shall be maintained as transparent as defined in the Zoning Ordinance of the City of Norfolk, 1992 (as amended).
- (l) Notwithstanding any other regulations pertaining to temporary window signage within Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), no less than 85% of the glass areas of the ground floor of the building shall be transparent as defined in the Zoning Ordinance.

- (m) All landscaping installed on the site premises shall be maintained in a healthy growing condition at all times and shall be replaced when necessary.
- (n) During all hours of operation the establishment operator shall be responsible for maintaining the property, those portions of public rights-of-way improved by sidewalk, and those portions of any parking lot adjacent to and used by customers of the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, and both solid and liquid waste.
- (o) The property shall be kept in a clean and sanitary condition at all times.
- (p) The establishment shall remain current on all food and beverages taxes and other local taxes which may become due while it is in operation.
- (q) The establishment shall maintain a current, active business license at all times while in operation.
- (r) No business license shall be issued until conditions (a), (b), (c), (d), (e) and (f) have all been implemented fully on the site.

Sale of Alcoholic Beverages for Off-Premises Consumption - Conditions

- (a) The hours of operation for the sale of alcoholic beverages for off-premises consumption shall be limited to 6:00 a.m. until 12:00 a.m. midnight, seven days a week.
- (b) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier.
- (c) No alcoholic beverages other than those defined as "beer," "wine," "wine cooler," or "low alcohol beverage cooler," as defined by state law, shall be sold.
- (d) No alcoholic beverage having more than 21% alcohol by volume shall be sold.
- (e) No beer shall be sold in any package containing fewer than six (6) bottles or cans and no wine shall be sold in containers less than 375 ml each.

- (f) The facility shall maintain a current, active business license at all times while in operation.
- (g) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Special Exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to any such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (h) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this Special Exception. This Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (i) A copy of this Special Exception ordinance and "Exhibit A" shall be available on site at all times for inspection, and a notice indicating that this Special Exception ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.
- (j) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the special exception so as to keep such areas free of litter, refuse, solid waste, snow, ice, and any bodily discharge.
- (k) At all times, all temporary window signage must comply with the applicable regulations of Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Signs."

Attachments

Location Map

Future Land Use Map

Zoning Map

1000' Radii Map of similar alcoholic beverage establishments and Norfolk Public Schools

Applications

Site plan

Building elevations

Notification list of all property owners within 300 feet of the site

Notice to the Poplar Hall Civic League

Proponents and Opponents

Proponents

Grady Palmer – Representative
999 Waterside Drive
Norfolk, VA 23322

Michael Webb – Representative
1032 Philpotts Road
Norfolk, VA 23513

Jake Kahle
5320-5328 E. Virginia Beach Boulevard
Norfolk, VA 23502

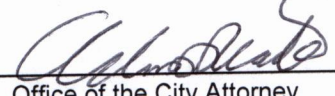
Opponents

Tim Trant – On Behalf of Crown Point Townhomes
Kaufman & Canoles
150 West Main Street
Norfolk, VA 23510

10/27/16 lds

Form and Correctness Approved: 

Contents Approved: 

By 
Office of the City Attorney

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO AMEND THE CITY'S GENERAL PLAN, PLANORFOLK2030, SO AS TO CHANGE THE LAND USE DESIGNATION FOR PROPERTY LOCATED AT 5516 RABY ROAD FROM INSTITUTIONAL TO COMMERCIAL.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the land use designation set forth in the City's general plan, planNorfolk2030, for the property located at 5516 Raby Road is hereby changed from Institutional to Commercial. The property which is the subject of this change in land use designation is more fully described as follows:

Property fronts 436 feet, more or less, along the northern line of East Virginia Beach Boulevard, 300 feet, more or less, along the western line of Raby Road, and 273 feet, more or less, along the southern line of Pleasant Valley Road; premises numbered 5516 Raby Road.

Section 2:- The Council hereby finds that this general plan amendment is required by public necessity, convenience, general welfare, or good zoning practice.

Section 3:- That this ordinance shall be in effect from the date of its adoption.

10/24/2016 lds

Form and Correctness Approved: RAP

By Adm. Deeds
Office of the City Attorney

Contents Approved: M.A.

By SS
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO REZONE PROPERTY LOCATED AT 5516 RABY ROAD FROM IN-1 (INSTITUTIONAL) DISTRICT TO C-2 (CORRIDOR COMMERCIAL) DISTRICT.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the property located at 5516 Raby Road is hereby rezoned from IN-1 (Institutional) to C-2 (Corridor Commercial) District. The property which is the subject of this rezoning is more fully described as follows:


Property fronts 436 feet, more or less, along the northern line of East Virginia Beach Boulevard, 300 feet, more or less, along the western line of Raby Road, and 273 feet, more or less, along the southern line of Pleasant Valley Road; premises numbered 5516 Raby Road.

Section 2:- That the official Zoning Map for the City of Norfolk is hereby amended and reordained so as to reflect this rezoning.

Section 3:- The Council hereby finds that this zoning amendment is required by public necessity, convenience, general welfare, or good zoning practice.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

10/24/2016 lds

Form and Correctness Approved: 

Contents Approved: 

By 

Office of the City Attorney

By 

DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF A CONVENIENCE STORE, 24-HOURS (WITH FUEL SALES) KNOWN AS "ROYAL FARMS" ON PROPERTY LOCATED AT 5516 RABY ROAD.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to permit the operation of a Convenience Store, 24-hours (with fuel sales) known as "Royal Farms" on property located at 5516 Raby Road. The property which is the subject of this Special Exception is more fully described as follows:

Property fronts 436 feet, more or less, along the northern line of East Virginia Beach Boulevard, 300 feet, more or less, along the western line of Raby Road, and 273 feet, more or less, along the southern line of Pleasant Valley Road; premises numbered 5516 Raby Road.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

(a) The site shall be developed to reflect the general massing, materials, fenestration and design elements for the north, south, east and west sides of the principal building as shown in the elevations entitled "RECON 'B'," dated August 13, 2015, and "RECON Prototype Rendered Perspective," dated September 23, 2015, attached hereto and marked as "Exhibit A," subject to any revisions required by the City to be made during the Site Plan Review and building permit plan review processes.

(b) The site shall be generally designed in accordance with the conceptual site plan prepared by Timmons Group, dated October 25, 2016, attached hereto and marked as "Exhibit B," subject to any revisions

required by the City to be made during the Site Plan Review and building permit plan review processes. No vehicular driveway shall be created on the site except where indicated on the conceptual site plan, as approved by the City.

- (c) A dedicated right-turn lane shall be installed along the southern line of Pleasant Valley Drive abutting the property, at the point where Pleasant Valley Drive intersects the western line of Raby Road.
- (d) Subject to any limitation or preemption that may exist by operation of state law, an oil/water separator or other device approved by the city's Department of Public Works sufficient to capture leaks or spills related to the operation of the facility shall be installed and a hazardous materials management plan shall be prepared and submitted to the Department of Planning detailing the methods to be employed on the property in order to minimize the infiltration into groundwater or surface waters of petroleum-based materials or other waste associated with the dispensing and handling of fuel or other potentially hazardous liquids. The use allowed by this special exception shall not commence until after this management plan is approved. Once approved, the plan shall be fully and continuously implemented.
- (e) A solid masonry wall not less than eight (8) feet in height shall be installed and maintained in the required landscape buffer area located along the northwest property line in order to screen the site from the adjacent residential dwellings. The wall shall be constructed of an earth-tone color complementary to the surrounding area as determined by staff during plan review. The side of the wall facing the adjacent property to the northwest shall be split-face masonry with a rough-side finish.
- (f) A continuous landscape hedge shall be installed and maintained along the northwest side of the masonry wall described in condition (e), above, located between the masonry wall and the service alley of the adjacent townhomes.

- (g) A minimum of five (5) bicycle parking spaces shall be provided on the site.
- (h) All loading, unloading, opening, closing or other handling of building materials during the construction of the principal building, the car wash, or any portion of the fueling structures that occurs between 7:00 p.m. and 7:00 a.m. the following morning in such a manner as to cause noise across a residential real property boundary or within a noise sensitive zone at a level exceeding the sound level limits as set forth in section 26-1 of the Code of the City of Norfolk is prohibited.
- (i) On-site lighting shall be directed and shielded so as to not cast glare onto any adjacent residential properties or public right-of-way.
- (j) Dumpsters shall be gated and not visible from any public right-of-way, and will be screened with masonry walls that complement the proposed building.
- (k) Not less than 50% of the building façade facing East Virginia Beach Boulevard and not less than 25% of the building façade facing Raby Road shall be maintained as transparent as defined in the Zoning Ordinance of the City of Norfolk, 1992 (as amended).
- (l) Notwithstanding any other regulations pertaining to temporary window signage within Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), no less than 85% of the glass areas of the ground floor of the building shall be transparent as defined in the Zoning Ordinance.
- (m) All landscaping installed on the site premises shall be maintained in a healthy growing condition at all times and shall be replaced when necessary.
- (n) During all hours of operation the establishment operator shall be responsible for maintaining the property, those portions of public rights-of-way improved by sidewalk, and those portions of any parking lot adjacent to and used by customers of the premises regulated by the Special Exception so

at to keep such areas free of litter, refuse, and both solid and liquid waste.

- (o) The property shall be kept in a clean and sanitary condition at all times.
- (p) The establishment shall remain current on all food and beverages taxes and other local taxes which may become due while it is in operation.
- (q) The establishment shall maintain a current, active business license at all times while in operation.
- (r) No business license shall be issued until conditions (a), (b), (c), (d), (e) and (f), have all been implemented fully on the site.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;

- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the City as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

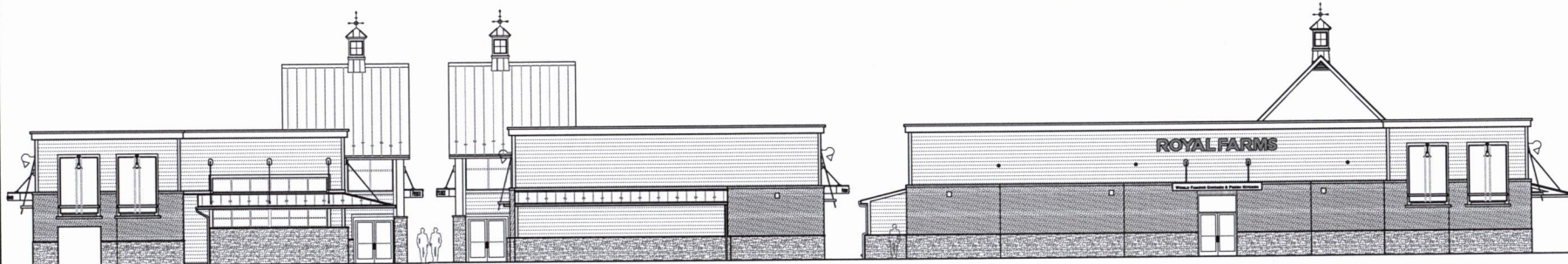
ATTACHMENTS:

Exhibit A (2 pages)

Exhibit B (1 page)

2 RECON 'B' LEFT ENTRY - FRONT ELEVATION
Scale 1/4" = 1'-0"

2 RECON 'B' LEFT ENTRY - FRONT ELEVATION



5 RECON 'B' LEFT ENTRY - REAR ELEVATION
SCALE 1/8" = 1'-0"

[illegible]

**NOT APPROVED FOR
CONSTRUCTION**

PROJECT No.:	
DRAWN BY:	CAD
CHECKED BY:	WM
DATE:	05/01/16
SCALE:	NOTED
CAD L.D.:	

PROJECT: **STANDARD SITE
PLAN LAYOUTS**

_____ FOR _____

ROYALFARMS

RECON 'B'
LEFT ENTRY
LAYOUT

SUBJECT TITLE:

SHEET NUMBER:

Exhibit A



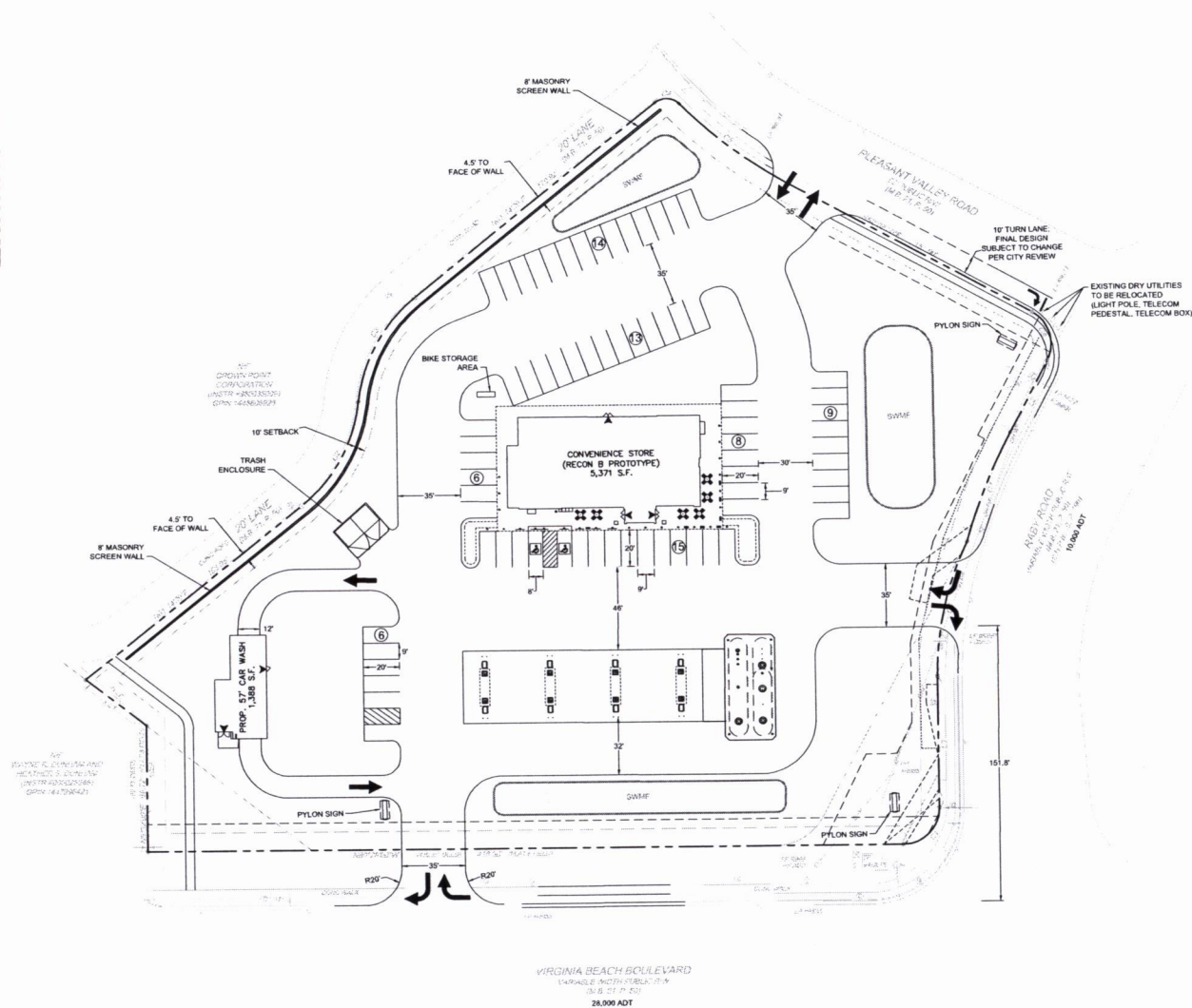
ROYAL FARMS

RECON Prototype Rendered Perspective
September 23, 2015

RA RATCLIFFE
ARCHITECTS

10404 Stevenson Road • Stevenson, Maryland 21153
Phone 410-484-7010 • Fax 410-484-3819 • peter@ratcliffearchitects.com

Exhibit B



SITE SUMMARY:

PROPERTY ADDRESS: 5516 RABY ROAD, NORFOLK, VA 23501

PROPERTY GPIN: 1447999561

PROPERTY ZONING: IN-1 (INSTITUTIONAL DISTRICT)

PROPERTY ACREAGE: TOTAL SITE = 3.216 AC (140,101 SF)

PARKING:

CONVENIENCE STORE (5,371 SF) REQUIRED: MIN =54 SPACES (1/100 GSF)
MAX =68 SPACES (125% OF MINIMUM)

PROVIDED: 71 SPACES (INCLUDING 2 ADA SPACES)

OPEN SPACE:

SITE (140,101 SF) REQUIRED: 14,010 SF (10% OF LOT AREA)

PROVIDED: 54,710 SF

CONVENIENCE STORE - RABY ROAD

Conceptual Layout Exhibit - October 25, 2016



SCALE 1"=30'

Form and Correctness Approved:

BAH

Contents Approved:

M. S.

By

Edmund Neale
Office of the City Attorney

By

DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF A CAR WASH NAMED "ROYAL FARMS" ON PROPERTY LOCATED AT 5516 RABY ROAD.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to permit the operation of a car wash named "Royal Farms" on property located at 5516 Raby Road. The property which is the subject of this Special Exception is more fully described as follows:

Property fronts 436 feet, more or less, along the northern line of East Virginia Beach Boulevard, 300 feet, more or less, along the western line of Raby Road, and 273 feet, more or less, along the southern line of Pleasant Valley Road; premises numbered 5516 Raby Road.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

(a) The site shall be developed to reflect the general massing, materials, fenestration and design elements for the north, south, east and west sides of the principal building as shown in the elevations entitled "RECON 'B'," dated August 13, 2015, and "RECON Prototype Rendered Perspective," dated September 23, 2015, attached hereto and marked as "Exhibit A," subject to any revisions required by the City to be made during the Site Plan Review and building permit plan review processes.

(b) The site shall be generally designed in accordance with the conceptual site plan prepared by Timmons Group, dated October 25, 2016, attached hereto and marked as "Exhibit B," subject to any revisions required by the City to be made during the Site Plan Review and building permit plan review

processes. No vehicular driveway shall be created on the site except where indicated on the conceptual site plan, as approved by the City.

- (c) A dedicated right-turn lane shall be installed along the southern line of Pleasant Valley Drive abutting the property, at the point where Pleasant Valley Drive intersects the western line of Raby Road.
- (d) Subject to any limitation or preemption that may exist by operation of state law, an oil/water separator or other device approved by the city's Department of Public Works sufficient to capture leaks or spills related to the operation of the facility shall be installed and a hazardous materials management plan shall be prepared and submitted to the Department of Planning detailing the methods to be employed on the property in order to minimize the infiltration into groundwater or surface waters of petroleum-based materials or other waste associated with the dispensing and handling of fuel or other potentially hazardous liquids. The use allowed by this special exception shall not commence until after this management plan is approved. Once approved, the plan shall be fully and continuously implemented.
- (e) A solid masonry wall not less than eight (8) feet in height shall be installed and maintained in the required landscape buffer area located along the northwest property line in order to screen the site from the adjacent residential dwellings. The wall shall be constructed of an earth-tone color complementary to the surrounding area as determined by staff during plan review. The side of the wall facing the adjacent property to the northwest shall be split-face masonry with a rough-side finish.
- (f) A continuous landscape hedge shall be installed and maintained along the northwest side of the masonry wall described in condition (e), above, located between the masonry wall and the service alley of the adjacent townhomes.
- (g) A minimum of five (5) bicycle parking spaces shall be provided on the site.

- (h) All loading, unloading, opening, closing or other handling of building materials during the construction of the principal building, the car wash, or any portion of the fueling structures that occurs between 7:00 p.m. and 7:00 a.m. the following morning in such a manner as to cause noise across a residential real property boundary or within a noise sensitive zone at a level exceeding the sound level limits as set forth in section 26-1 of the Code of the City of Norfolk is prohibited.
- (i) On-site lighting shall be directed and shielded so as to not cast glare onto any adjacent residential properties or public right-of-way.
- (j) Dumpsters shall be gated and not visible from any public right-of-way, and will be screened with masonry walls that complement the proposed building.
- (k) Not less than 50% of the building façade facing East Virginia Beach Boulevard and not less than 25% of the building façade facing Raby Road shall be maintained as transparent as defined in the Zoning Ordinance of the City of Norfolk, 1992 (as amended).
- (l) Notwithstanding any other regulations pertaining to temporary window signage within Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), no less than 85% of the glass areas of the ground floor of the building shall be transparent as defined in the Zoning Ordinance.
- (m) All landscaping installed on the site premises shall be maintained in a healthy growing condition at all times and shall be replaced when necessary.
- (n) During all hours of operation the establishment operator shall be responsible for maintaining the property, those portions of public rights-of-way improved by sidewalk, and those portions of any parking lot adjacent to and used by customers of the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, and both solid and liquid waste.

- (o) The property shall be kept in a clean and sanitary condition at all times.
- (p) The establishment shall remain current on all food and beverages taxes and other local taxes which may become due while it is in operation.
- (q) The establishment shall maintain a current, active business license at all times while in operation.
- (r) No business license shall be issued until conditions (a), (b), (c), (d), (e) and (f) have all been implemented fully on the site.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted general plan and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and

services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;

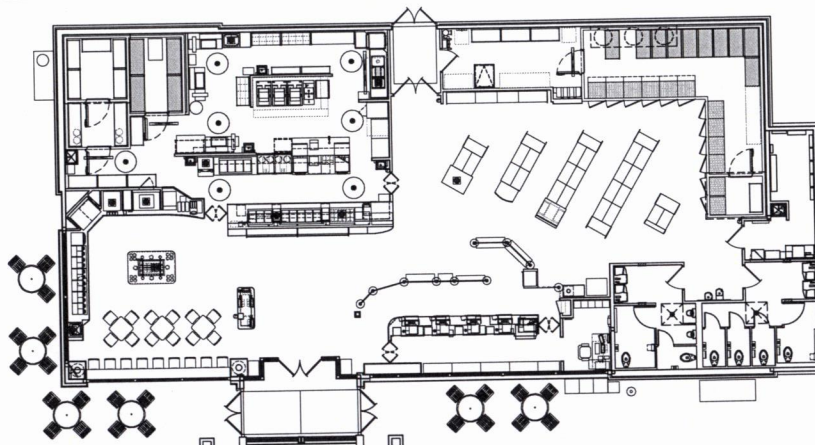
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

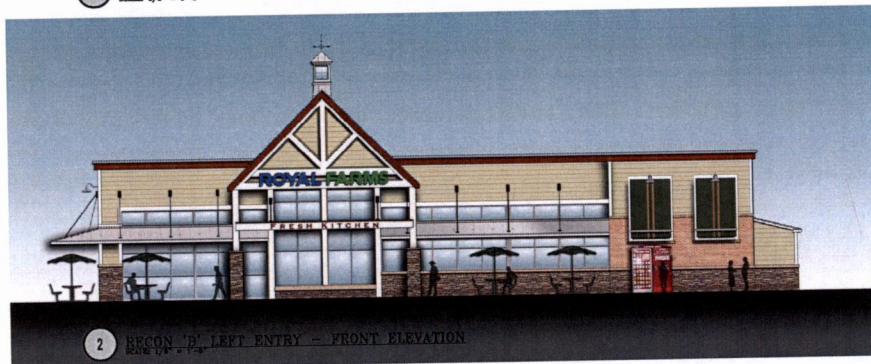
ATTACHMENTS:

Exhibit A (2 pages)
Exhibit B (1 page)

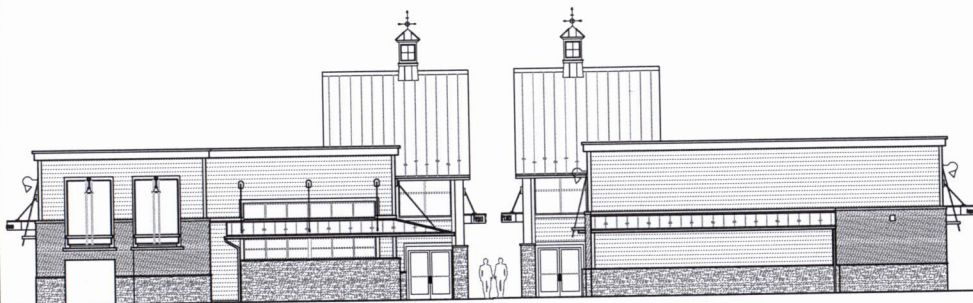
Exhibit A



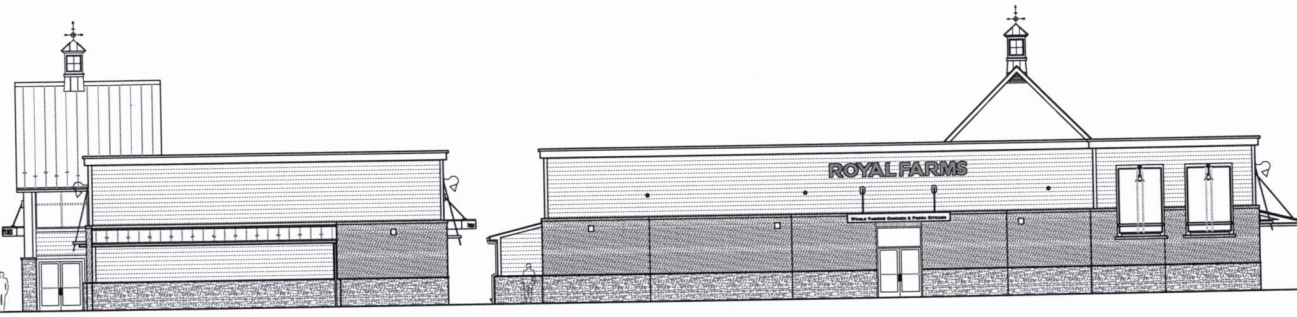
1 RECON 'B' - LEFT ENTRY PLAN - 5371 SQ. FT.
SCALE 1/8" = 1'-0"



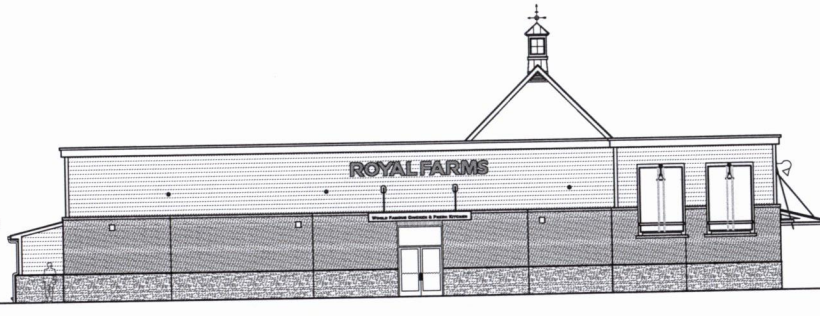
2 RECON 'B' LEFT ENTRY - FRONT ELEVATION
SCALE 1/8" = 1'-0"



3 RECON 'B' LEFT ENTRY - LEFT ELEVATION
SCALE: 1/8" = 1'-0"



4 RECON 'B' LEFT ENTRY - RIGHT ELEVATION
SCALE 1/8" = 1'-0"



5 RECON 'B' LEFT ENTRY - REAR ELEVATION
SCALE: 1/8" = 1'-0"

[illegible]

**NOT APPROVED FOR
CONSTRUCTION**

PROJECT No.:	
DRAWN BY:	CAD
CHECKED BY:	WM
DATE:	08/31/14
SCALE:	NOTED

PROJECT: _____
STANDARD SITE
PLAN LAYOUTS
_____ FOR _____

ROYALFARMS

RECON 'B'
LEFT ENTRY
LAYOUT

SHEET TITLE:

SHEET NUMBER:

Exhibit A



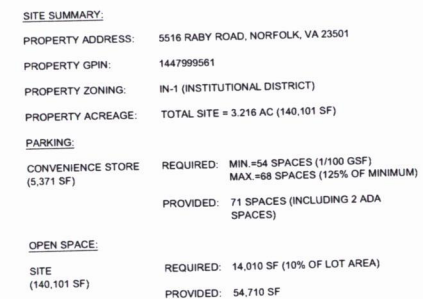
ROYAL FARMS

RECON Prototype Rendered Perspective
September 23, 2015

RA RATCLIFFE
ARCHITECTS

10404 Stevenson Road Stevenson, Maryland 21153
Phone 410-484-7010 Fax 410-484-3819 peter@ratcliffearchitects.com

CONVENIENCE STORE - RABY ROAD



Form and Correctness Approved: 

Contents Approved: 

By 

Office of the City Attorney

By 

DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION AUTHORIZING THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION AT AN ESTABLISHMENT KNOWN AS "ROYAL FARMS" ON PROPERTY LOCATED AT 5516 RABY ROAD.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to Two Farms, Inc. authorizing the sale of beer and wine for off-premises consumption at an establishment known as "Royal Farms" on property located at 5516 Raby Road. The property which is the subject of this Special Exception is more fully described as follows:

Property fronts 436 feet, more or less, along the northern line of East Virginia Beach Boulevard, 300 feet, more or less, along the western line of Raby Road, and 273 feet, more or less, along the southern line of Pleasant Valley Road; premises numbered 5516 Raby Road.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the sale of alcoholic beverages for off-premises consumption shall be limited to 6:00 a.m. until 12:00 a.m. midnight, seven days per week.
- (b) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier.

- (c) No alcoholic beverages other than those defined as "beer," "wine," "wine cooler," or "low alcohol beverage cooler," as defined by state law, shall be sold.
- (d) No alcoholic beverage having more than 21% alcohol by volume shall be sold.
- (e) All beer sold for off premises consumption shall be in a package containing a minimum of six (6) bottles or cans and all wine shall be sold in containers with a minimum of 375 ml each.
- (f) The facility shall maintain a current, active business license at all times while in operation.
- (g) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Special Exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to any such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (h) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this Special Exception. This Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (i) A copy of this Special Exception ordinance and "Exhibit A" shall be available on site at all times for inspection, and a notice indicating that this Special Exception ordinance and all amendments are kept on the premises and are available for review

by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.

(j) During all hours of operation the establishment operator shall be responsible for maintaining the property, those portions of public rights-of-way improved by sidewalk, and those portions of any parking lot adjacent to and used by customers of the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, and both solid and liquid waste.

(k) At all times, all temporary window signage must comply with the applicable regulations of Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Signs."

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted general plan and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of

neighboring property in accordance with the applicable district regulations;

- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:
Exhibit A (2 pages)



EXHIBIT "A"
Description of Operations
Off-Premises Sale of Alcoholic Beverage

Date of Application: 8/2/16

Name of business: Two Farms Inc. t/a Royal Farms

Address of business: 3611 Roland Ave, Baltimore, MD 21211

Name(s) of business owner(s)*: Royal Farms

Name(s) of property owner(s)*: The Salvation Army

Name(s) of business manager(s)/operator(s): TBD

Daytime telephone number () (410) 889-0200

*If business or property owner is partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility

Weekday From 24 Hours To

Friday From 24 Hours To

Saturday From 24 Hours To

Sunday From 24 Hours To

Alcoholic Beverage Sales

Weekday From 24 Hours 6 AM To midnight

Friday From 24 Hours 6 AM To "

Saturday From 24 Hours 6 AM To "

Sunday From 24 Hours 6 AM To "

2. Type of alcoholic beverage applied for:

☒ Beer ☐ Wine ☐ Mixed Beverage

3. Alcoholic beverages to be sold:

☒ Room temperature ☐ Refrigerated

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

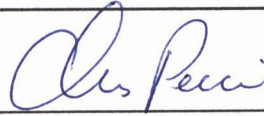
Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

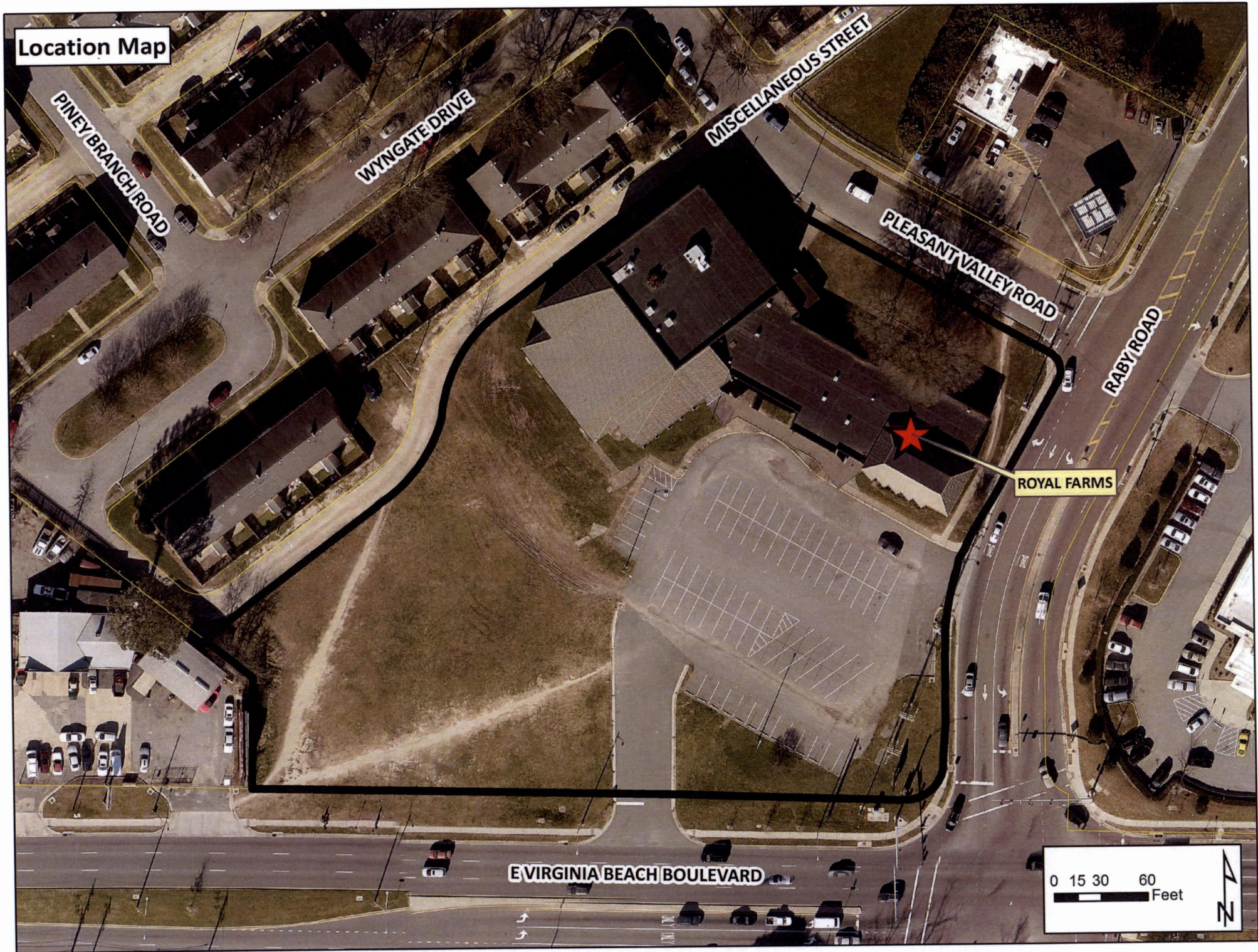
Exhibit A – Page 2
ABC-Off

4. As a general rule, the City does not approve selling beer in a single-sized serving container or selling wine in a bottle that is less than 375 milliliters. If you are seeking approval to sell servings that do not meet these criteria, please explain your justification as well as indicate what sizes you would sell:



Signature of applicant/owner

Location Map



PINEY BRANCH ROAD

WYNGATE DRIVE

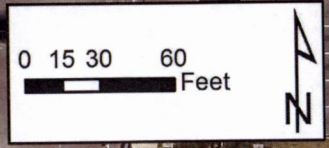
MISCELLANEOUS STREET

PLEASANT VALLEY ROAD

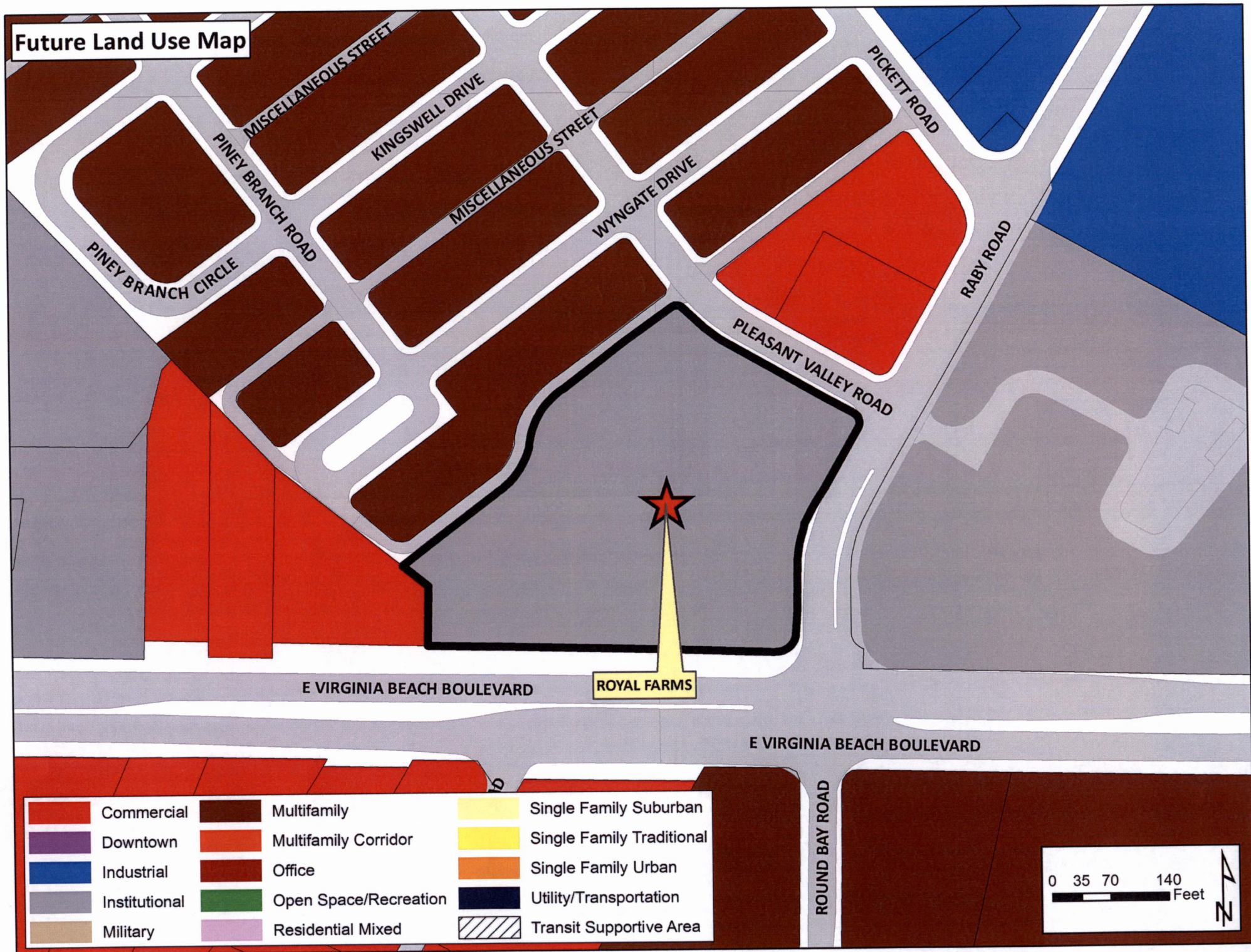
RABY ROAD

E VIRGINIA BEACH BOULEVARD

ROYAL FARMS

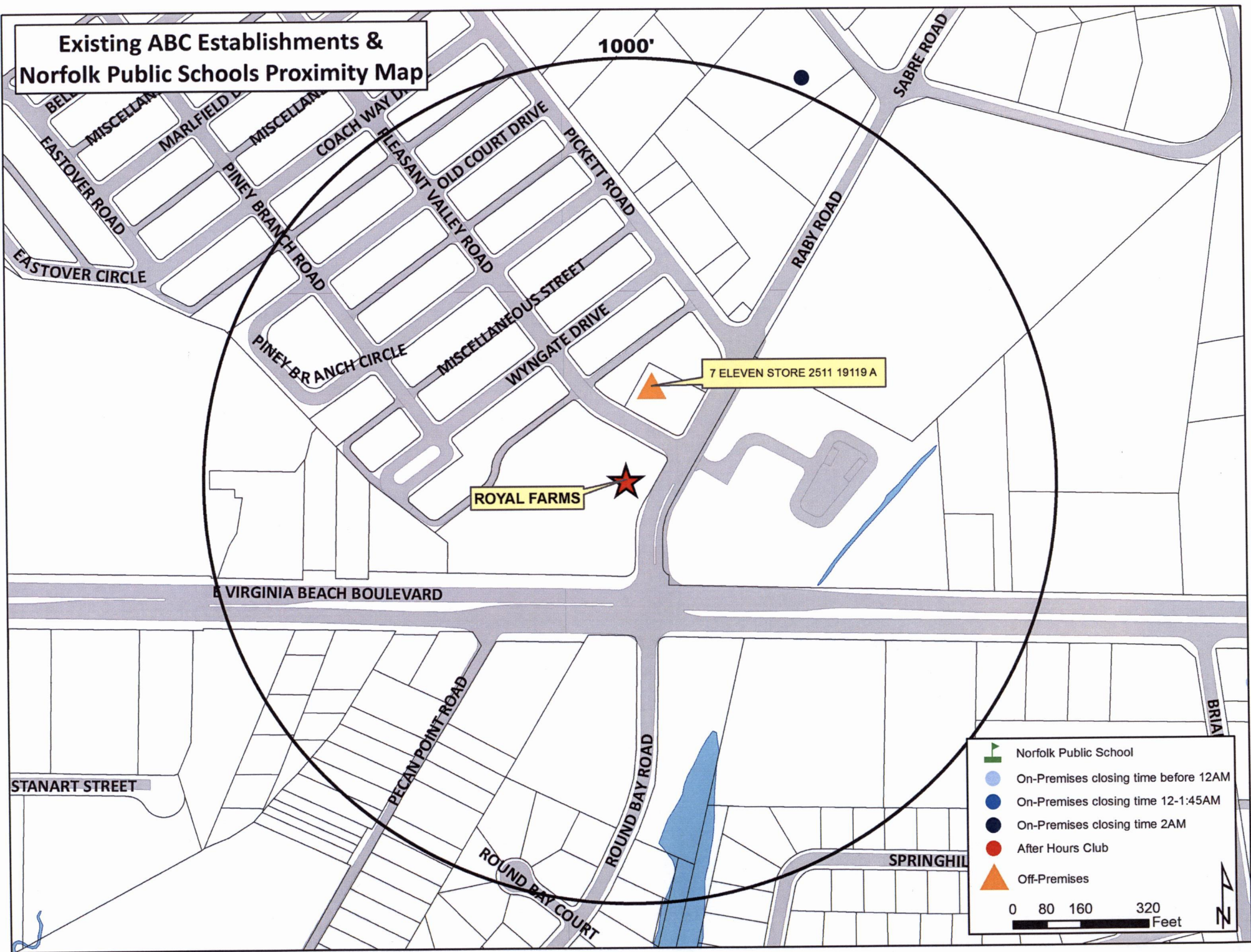


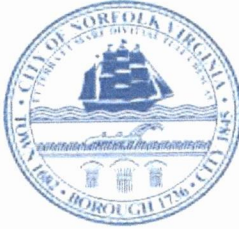
Future Land Use Map





Existing ABC Establishments & Norfolk Public Schools Proximity Map





APPLICATION CHANGE OF ZONING

Date of application: August 8, 2016

Change of Zoning

From: IN-1 Zoning To: C-2 Zoning

DESCRIPTION OF PROPERTY

Property location: (Street Number) 5516 (Street Name) Raby Road

Existing Use of Property: Vacant - Former Salvation Army Church and Community Center

Current Building Square Footage 31,335

Proposed Use 24 hour Convenience Store with Gas

Proposed Building Square Footage 5371

Trade Name of Business (If applicable) Two Farms Inc. t/a Royal Farms

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) Pecci (First) Chris (MI)

Mailing address of applicant (Street/P.O. Box): 101 Shocks Slip, Suite I

(City) Richmond (State) VA (Zip Code) 23219

Daytime telephone number of applicant () 804-780-2333

Fax ()

E-mail address of applicant: cpecci@adg-development.com

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

**Application
Rezoning
Page 2**

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) (First) (MI)

Mailing address of applicant (Street/P.O. Box):

(City) (State) (Zip Code)

Daytime telephone number of applicant () Fax ()

E-mail address of applicant:

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) (First) (MI)

Mailing address of property owner (Street/P.O. box):

(City) (State) (Zip Code)

Daytime telephone number of owner () email:

CIVIC LEAGUE INFORMATION

Civic League contact:

Date(s) contacted:

Ward/Super Ward information:

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

THE SALVATION ARMY, A GEORGIA CORP.
Print name: _____ Sign:  / 7/28 / 2016
(Property Owner or Authorized Agent of Signature) JAMES K. SEILER, TREASURER (Date)

Print name: Chris Pecci Sign:  / 7 / 13 / 16
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: _____ Sign: _____ / _____ / _____
(Authorized Agent Signature) (Date)



**APPLICATION
SPECIAL EXCEPTION**

Special Exception for: 24 Hour Operation

Date of application: August 8, 2016

DESCRIPTION OF PROPERTY

Property location: (Street Number) 5516 (Street Name) Raby Road

Existing Use of Property Vacant - Former Salvation Army Church and Community Center

Current Building Square Footage 31,335

Proposed Use

24 Hour Convenience Store with Gas

Proposed Square Footage 5371

Proposed Hours of Operation:

Weekday From 24 Hours To

Friday From 24 Hours To

Saturday From 24 Hours To

Sunday From 24 Hours To

Trade Name of Business (If applicable) Two Farms Inc. t/a Royal Farms

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

**Application
Special Exception
Page 2**

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) (First) (MI)

Mailing address of applicant (Street/P.O. Box):

(City) (State) (Zip Code)

Daytime telephone number of applicant (Fax (

E-mail address of applicant:

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) (First) (MI)

Mailing address of applicant (Street/P.O. Box):

(City) (State) (Zip Code)

Daytime telephone number of applicant (Fax (

E-mail address of applicant:

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) (First) (MI)

Mailing address of property owner (Street/P.O. box):

(City) (State) (Zip Code)

Daytime telephone number of owner (email:

DEPARTMENT OF CITY PLANNING
810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569
(Revised January, 2015)

CIVIC LEAGUE INFORMATION

Civic League contact: Poplar Civic League / Marvin Rawls / (757) 651-9568 / poplarcivicleague@yahoo.com

Date(s) contacted: 7/6/16 @ 3:54 via phone / Introduced myself to Mr. Rawls and gave an overview of the project. Emailed info on 7/12/16.

Ward/Super Ward information: Mamie Johnson / Paul Riddick / Angelia Williams

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: JAMES K. SEILER, TREASURER Sign: [Signature] / 7/28/16
(Property Owner or Authorized Agent of Signature) (Date)

THE SALVATION ARMY, A GEORGIA CORP.

Print name: Chris Pecci Sign: [Signature] 7/ 13/ 16
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: _____ Sign: _____ / _____ / _____
(Authorized Agent Signature) (Date)



**APPLICATION
SPECIAL EXCEPTION**

Special Exception for: Car Wash

Date of application: August 8, 2016

DESCRIPTION OF PROPERTY

Property location: (Street Number) 5516 (Street Name) Raby Road

Existing Use of Property Vacant - Former Salvation Army Church and Community Center

Current Building Square Footage 31,335

Proposed Use

Car Wash

Proposed Square Footage 1388

Proposed Hours of Operation:

Weekday From 24 Hours To

Friday From 24 Hours To

Saturday From 24 Hours To

Sunday From 24 Hours To

Trade Name of Business (If applicable) Two Farms Inc. t/a Royal Farms

DEPARTMENT OF CITY PLANNING
810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569
(Revised January, 2015)

**Application
Special Exception
Page 2**

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) (First) (MI)

Mailing address of applicant (Street/P.O. Box):

(City) (State) (Zip Code)

Daytime telephone number of applicant () Fax ()

E-mail address of applicant:

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) (First) (MI)

Mailing address of applicant (Street/P.O. Box):

(City) (State) (Zip Code)

Daytime telephone number of applicant () Fax ()

E-mail address of applicant:

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) (First) (MI)

Mailing address of property owner (Street/P.O. box):

(City) (State) (Zip Code)

Daytime telephone number of owner () email:

CIVIC LEAGUE INFORMATION

Civic League contact: Poplar Civic League / Marvin Rawls / (757) 651-9568 / poplarcivicleague@yahoo.com

Date(s) contacted: 7/6/16 @ 3:54 via phone / Introduced myself to Mr. Rawls and gave an overview of the project. Emailed info on 7/12/16.

Ward/Super Ward information: Mamie Johnson / Paul Riddick / Angelia Williams

CERTIFICATION:


I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Mark Israel Sign: Mark Israel 8/11/16
(Property Owner or Authorized Agent of Signature) (Date)

Print name: Chris Pecci Sign: Chris Pecci 8/11/16
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: _____ Sign: _____ / ____ / ____
(Authorized Agent Signature) (Date)

National Capital & Virginia Divisional Finance Board	
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Deferred
<input type="checkbox"/> With Contingencies	<input type="checkbox"/> Decline
<input type="checkbox"/> Recommend	<input type="checkbox"/> THQ Approval
AUG 11 2016	
	
Chairman	



**APPLICATION
ADULT USE SPECIAL EXCEPTION
ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION**

Date of Application:

DESCRIPTION OF PROPERTY

Property location: (Street Number) (Street Name)

Existing Use of Property

Current Building Square Footage

Proposed Use

Proposed Building Square Footage

Trade Name of Business (If applicable)

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) (First) (MI)

Mailing address of applicant (Street/P.O. Box):

(City) (State) (Zip Code)

Daytime telephone number of applicant () Fax ()

E-mail address of applicant:

DEPARTMENT OF CITY PLANNING
810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569
(Revised January, 2015)

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) Allison (First) James (MI) ☐

Mailing address of applicant (Street/P.O. Box): 5525 Raby Road

(City) Norfolk (State) VA (Zip Code) 23502

Daytime telephone number of applicant (☐) 757-502-4000 Fax (☐)

E-mail address of applicant: james.allison@uss.salvationarmy.org

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) Seiler (First) James (MI) ☐

Mailing address of property owner (Street/P.O. box): 1424 Northeast Expressway

(City) Atlanta (State) GA (Zip Code) 30329

Daytime telephone number of owner (☐) 404-728-1300 email: james.seiler@uss.salvationarmy.org

CIVIC LEAGUE INFORMATION

Civic League contact: Poplar Civic League / Marvin Rawls / (757) 651-9568 / poplarcivicleague@yahoo.com

Date(s) contacted: 7/6/16 @ 3:54 via phone - Introduced myself to Mr. Rawls and provided an overview of the project. Emailed info on 7/12/16

Ward/Super Ward information: Mamie Johnson / Paul Riddick / Angelia Williams

REQUIRED ATTACHMENTS:

- ✓ Required application fee, **\$355.00** (if check, make payable to the City of Norfolk).
 - Application fee includes a non-refundable \$5 technology surcharge.
- ✓ One 8½ x 14 inch or 11 x 17 inch copy of a physical survey, drawn to scale and showing site conditions and improvements (including portions of the right-of-way to the curb line):
 - Existing and proposed building structures
 - Driveways
 - Parking
 - Landscaping
 - Property lines (see attached example)
- ✓ One 8½ x 14 inch or 11 x 17 inch copy of a conceptual site plan drawn to scale and showing all proposed site improvements, landscaping, drive aisles and parking with dimensions, and proposed changes to parcel/property lines (including lease lines) if applicable.
- ✓ One 8½ inch X 11 inch copy of a floor plan drawn to scale showing where cold and/or room temperature alcoholic beverages will be sold. (see attached example).
- ✓ Completed Exhibit A, Description of Operations (attached).
- ✓ Please provide a brief description of the business (i.e., # of employees, current locations, type of restaurant, etc...).

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

THE SALVATION ARMY, A GEORGIA CORP.
Print name: _____ Sign: _____, 7/28/2016
(Property Owner or Authorized Agent of Signature) (Date)

Print name: Chris Pecci Sign: Chris Pecci 7/13/16
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: _____ Sign: _____ / ____ / ____
(Authorized Agent Signature) (Date)

Purpose of Rezoning

Applicant: ADG Development, LLC
Property: 5516 Raby Road, Norfolk, VA
Project Name: Convenience Store – Raby Road
GPIN: Parcel ID 54 48
Date: July 13, 2016

We are working to purchase the above referenced property from the Salvation Army for the purpose of building a 24-hour Convenience Store with gas and the sale of alcohol for Off-Premises Consumption. The building is currently vacant as the Salvation Army has relocated. The site is currently zoned Institutional District (IN-1) which does not allow for our intended use.

We are looking to have the property rezoned to Corridor Commercial District (C-2) which allows for gas stations, our intended use. The tenant, Royal Farms, promotes a culture of employee growth and retention. They employ 40-50 employees, 35-40% of them full time.



Royal Farms - Notification sent to all Property Owners within 300 feet

<u>Property Owner</u>	<u>Property Address</u>	<u>Mailing Address</u>	
Goldrich, Vicki E Et Als	931 Round Bay Rd	6477 College Park Sq Ste 306	Virginia Beach VA
Heisler, Jenny L Living Trust	931 Pecan Point Rd	3536 Glen Arden Rd	Virginia Beach VA
Heisler, Jenny L Living Trust	931 Pecan Point Rd	3536 Glen Arden Rd	Virginia Beach VA
Icc Holding, Llc	5328 E Virginia Beach Blvd	6817 Gardner Dr	Norfolk VA
WI Realty, Llc	5359 E Virginia Beach Blvd	5359 E Virginia Beach Blvd	Norfolk VA
Adams Outdoor Advertising Ltd	W S E Virginia Beach Blvd	5547 E Virginia Beach Blvd	Norfolk VA
Abems & Associates	5335 E Virginia Beach Blvd	1553 S Military Hwy Ste 200	Chesapeake VA
Vb Boulevard, Llc	5345 E Virginia Beach Blvd	1228 Ballentine Blvd	Norfolk VA
Icc Holding Company, Llc	5320 E Virginia Beach Blvd	5328 E Virginia Beach Blvd	Norfolk VA
Salvation Army, The	5525 Raby Rd	P O Box 388	Norfolk VA
Crown Point Corporation	5371 Wyngate Dr	4029 Ironbound Rd Ste 200	Williamsburg VA
7-Eleven, Inc	5520 Raby Rd	1722 Routh St Ste 1000	Dallas TX
Maroulis, Thrasyvoulos T Et Al	N S Raby Rd	2516 Jasper Ct	Norfolk VA
Dunham, Wayne R & Heather S	5334 E Virginia Beach Blvd	5334 E Virginia Beach Blvd	Norfolk VA
Dunham, Wayne R & Heather S	5334 E Virginia Beach Blvd	5334 E Virginia Beach Blvd	Norfolk VA
Salvation Army	5516 E Virginia Beach Blvd	P O Box 388	Norfolk VA
D&M Garcia Family Trs Credit Shelter Trs	5329 E Virginia Beach Blvd	4004 Atlantic Ave Unit 910	Virginia Beach VA

Simons, Matthew

From: Straley, Matthew
Sent: Wednesday, August 10, 2016 11:14 AM
To: 'Poplarhallcivicleague@yahoo.com'
Cc: Riddick, Paul; Williams, Angelia M.; Howard, Oneiceia; Simons, Matthew
Subject: new Planning Commission applications - 5516 Raby Road
Attachments: RoyalFarms_ABCoff.pdf; RoyalFarms_24hrs.pdf; RoyalFarms_rezon.pdf

Mr. Rawls,

Attached please find the following applications at 5516 Raby Road:

- a. Amendment to the Future Land Use Designation in the general plan, *plaNorfolk2030*, from Institutional to Commercial.
- b. Change of zoning from IN-1 (Institutional) district to conditional C-2 (Corridor Commercial) district.
- c. Special exception to operate a convenience store, 24-hours (with fuel sales).
- d. Special exception to operate a car wash.
- e. Special exception for the sale of alcoholic beverages for off-premises consumption.

The item is tentatively scheduled for the September 22, 2016 Planning Commission public hearing.

Staff contact: Matt Simons at (757) 664-4750, matthew.simons@norfolk.gov

Thank you.

Matthew Straley
GIS Technician II

THE CITY OF
NORFOLK
City Planning
810 Union Street, Suite 508
Norfolk, VA 23510
757-664-4769

Connect with us:
www.norfolk.gov

